

COMMITTEE ON NATURAL RESOURCES AND RURAL AFFAIRS

SENATE AMENDMENTS TO H.B. 2017

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 49, chapter 1, Arizona Revised Statutes is amended
3 by adding article 7, to read:

4 ARTICLE 7. REGULATION OF GREENHOUSE GAS EMISSIONS AND MOTOR VEHICLE FUEL ECONOMY

5 49-195. Greenhouse gas programs; motor vehicle fuel economy
programs; rules; regulations; definition

6 A. NOTWITHSTANDING ANY OTHER LAW, A STATE AGENCY ESTABLISHED UNDER
7 THIS TITLE OR TITLE 41 SHALL NOT ADOPT OR ENFORCE RULES OR REGULATIONS TO
8 IMPLEMENT A STATE OR REGIONAL PROGRAM TO ADDRESS THE EMISSION OF GREENHOUSE
9 GAS OR MOTOR VEHICLE FUEL ECONOMY UNLESS BOTH OF THE FOLLOWING APPLY:

10 1. THE PROGRAM IS EXPRESSLY AUTHORIZED BY FEDERAL LAW.
11 2. THE PROGRAM REQUIREMENTS ARE CONSISTENT WITH AND NO MORE STRINGENT
12 THAN FEDERAL LAWS OR REGULATIONS.

13 B. FOR THE PURPOSES OF THIS SECTION, "GREENHOUSE GAS" MEANS CARBON
14 DIOXIDE, METHANE, NITROUS OXIDE, SULFUR HEXAFLUORIDE, HYDROFLUOROCARBON OR
15 PERFLUOROCARBON.

16 Sec. 2. Report; review

17 The director of the Arizona department of environmental quality shall
18 provide a written report to the governor, the president of the senate, the
19 speaker of the house of representatives, and the Arizona corporation
20 commission on each proposed program to address greenhouse gas emissions or
21 motor vehicle economy, including any program that is the subject of a pending
22 or previous rulemaking proceeding within three months of either the effective
23 date of this legislation or the release of recommendations by the
24 participants in the western climate initiative for a regional cap and trade
25 or other program to regulate greenhouse gas emissions or motor fuel economy.

26 The report shall include a description of the proposed program, a
27 comprehensive analysis of the fiscal impact to the state, and the economic,

1 consumer and small business impacts of the proposed program, and the
2 legislation required to authorized the proposed program.

3 Sec. 3. Legislative intent

4 It is the intent of the Arizona legislature that, notwithstanding any
5 other law, any state or regional program to implement a cap and trade system
6 or any other program to address greenhouse gas emissions or motor vehicle
7 fuel economy that has been or may be proposed by a state agency established
8 under this title or title 41, and that is not expressly authorized by,
9 consistent with and no more stringent than applicable federal laws, rules or
10 regulations shall require express legislative authorization following a
11 comprehensive assessment of the state fiscal and other economic, consumer and
12 small business impacts of the program.”

13 Amend title to conform

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